

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF SOUTH DAKOTA**

**ROOM 211**

**FEDERAL BUILDING AND U.S. POST OFFICE**

**225 SOUTH PIERRE STREET**

**PIERRE, SOUTH DAKOTA 57501-2463**

**IRVIN N. HOYT**  
**BANKRUPTCY JUDGE**

**TELEPHONE (605) 224-0560**  
**FAX (605) 224-9020**

April 7, 2006

Christopher J. Baumann, Esq.,  
Counsel for Debtor  
Post Office Box 555  
Spearfish, South Dakota 57783

Robert E. Mayer,  
Deputy Attorney General, Litigation Division  
1302 East Highway 14, Suite 1  
Pierre, South Dakota 57501

Jesse B. Sondreal,  
Meade County States Attorney  
1425 Sherman Street  
Sturgis, South Dakota 57785

Subject: *In re Benjamin E. and Shelia D. Standing Bear,*  
Chapter 7, Bankr. No. 05-50523

Dear Counsel:

On February 15, 2006, Debtors filed a motion seeking an order declaring that the following judgments (and two others) have been voided in bankruptcy pursuant to S.D.C.L. § 15-16-20:

State of South Dakota Meade County Clerk of Courts, judgment for \$223.50, dated June 16, 1994, Docket No. 46c93000209a0, Circuit Court, Meade County, South Dakota. (*Fines and costs*)

Meade County Clerk of Court, judgment for \$467.15, dated November 7, 1995, Docket No. 46C92000606A0, Circuit Court, Meade County, South Dakota. (*Fines and costs*)

By Order entered March 6, 2006, the Court requested short briefs from Debtors and the State or Meade County to ensure the judgments were not for criminal fines or penalties, which are excepted from discharge under 11 U.S.C. § 523(a)(7). Only Debtors




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filed a brief.<sup>1</sup> They stated, on personal knowledge only, that the subject debts arose from medical bills incurred by Debtors and paid by Meade County.

Accordingly, since the record does not show the subject debts arose from a criminal fine or penalty, the attendant judgments will be voided. An appropriate order will be entered.

Sincerely,



Irvin N. Hoyt  
Bankruptcy Judge

INH:sh

CC: case file (docket original and serve parties in interest)

**On the above date, a copy of this document  
was mailed or faxed to the parties shown on  
the attached service list.**

**Charles L. Nail, Jr.  
Clerk, U. S. Bankruptcy Court  
District of South Dakota**

**NOTICE OF ENTRY**  
Under Fed.R.Bankr.P. 9022(a)

This order/judgment was entered  
on the date shown above.

Charles L. Nail, Jr.  
Clerk, U.S. Bankruptcy Court  
District of South Dakota

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<sup>1</sup> The Court's scheduling order also provided that if the parties agreed the subject debts did not fall under § 523(a)(7), they could so inform the Court by letter, in lieu of filing briefs. No letter was received by the Court.



Benjamin Edgar Standing Bear  
1202 Easy St. #28  
Whitewood, SD 57793

Sheila Dawn Standing Bear  
1202 Easy St. #28  
Whitewood, SD 57793

Christopher J. Baumann  
PO Box 555  
Spearfish, SD 57783

Stephanie C. Bengford  
Assistant U.S. Attorney  
PO Box 3303  
Sioux Falls, SD 57101-3303

Dennis C. Whetzal  
Trustee  
PO Box 8285  
Rapid City, SD 57709

Bruce J. Gering  
Office of the U.S. Trustee  
230 S. Phillips Ave, Suite 502  
Sioux Falls, SD 57104-6321

Robert E. Mayer,  
Deputy Attorney General, Litigation Division  
1302 East Highway 14, Suite 1  
Pierre, SD 57501

Jesse B. Sondreal  
Meade County States Attorney  
1425 Sherman Street  
Sturgis, SD 57785